DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0544/18/HFUL
Proposal: Single storey rear sun lounge extension with flat roof and balcony/glazed balustrading to first floor level and 3 no. sun pipes
Location: 39 Parkshiel
South Shields
NE34 8BU

Site Visit Made: 09/08/2018

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

This application relates to an east facing detached property in the established residential area of South Shields. The property has a large garden to the rear which slopes down to the north west. There have been a number of planning applications at the property since 1985. The property has a two storey projection to the northern portion of the rear elevation which has a single storey projection to its rear elevation.

This application seeks full planning permission to construct a single storey rear extension to the main rear elevation of the host property, to the south of the existing two storey and single storey projections. To the roof of the proposed extension there would be a balcony, accessed via a set of double doors from the first floor of the existing two storey projection and by an external staircase to the southern elevation. Amended plans have been submitted showing that the balcony would be surrounded by a 1m high stainless steel and glazed railing to the western elevation and a 1.9m high (from the floor level of the balcony) screen consisting of dark brown horizontal boarding between brick piers to the northern elevation. One section of the boarding would form a gate to access the staircase. There would be three sun pipes in the balcony floor / extension roof.

Publicity / Consultations (Expiry date: 21/08/2018)

1) Neighbour responses

1no. objection received from the occupier of No. 38 Parkshiel stating the following issues:
- Concerns regarding overlooking from the balcony should the existing Leylandii be reduced in height.

Assessment

Policy DM1 seeks to preserve residential and visual amenity. SPD9 states that single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses will generally be acceptable. SPD9 notes that the introduction of a balcony can raise issues of overlooking and loss of privacy to garden space.

The proposed rear extension would project 5m from the main rear elevation of the host property. Whilst this is in excess of that set out in SPD9, given that the property already has a two storey rear extension of 3m projection and a further single storey projection of an additional 2.8m, it is considered to be acceptable on balance. The rear extension would be set 4.6m from the site's southern boundary with No.

38 Parkshiel and so given the distance it is not considered that the proposed extension would result in any overshadowing or loss of outlook to that property.

The balcony would be set 4.6m from the boundary with No. 38 Parkshiel to the south. The boundary is formed of a row of Leylandii hedging approximately 3.5m - 4m in height. Concerns have been raised that should the hedging be reduced in height or removed, the balcony could lead to a loss of privacy to No. 38. In response to this, the applicant has submitted amended plans showing a solid screen up to a height of 1.9m above the floor level of the balcony, upon the balcony's northern elevation. Consequently there would be no loss of privacy to No. 38 as a result of the balcony. A planning condition is recommended to ensure that this privacy screen is completed and retained on site.

The development would be screened to the north by the existing one and two storey projections. The proposal would be set 18.5m from the site's western (rear) boundary and so it is not considered that the proposal would significantly impact upon those properties to the west of the site.

In terms of design, the proposal would be located to the rear of the property and so would not be highly visible within the vicinity. Nevertheless, the contemporary design of the proposal would be acceptable. It is therefore not considered that the proposal would have a significant adverse impact upon the character and appearance of the area.

The site contains a number of trees to the rear. In addition there are 2no. trees in the garden of No. 38 Parkshiel which are protected via TPO. The applicant has submitted an Arboricultural Impact Assessment with the application which shows that the proposed development does not fall within the Root Protection Area of the protected trees. The development would have a neutral impact upon the trees should protective fencing be erected and the Arboricultural Impact Assessment states that such fencing would be erected; as such a condition has been attached to ensure this.

In conclusion, it is considered that the proposal would have no significant adverse impact upon the residential amenity of any neighbouring properties or the visual amenity of the area. Having regard for all of the above, it is considered that the proposal complies with all relevant local and national planning policy and so is therefore recommended for approval.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission Householder with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Drg No. 420/0512 rev A received 22/08/2018
Drg No. 1 rev A received 22/08/2018
Site/Roof Plan Proposed rev A received 22/08/2018

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

3 The external surfaces of the development hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside Local Development Framework Development Management Policy DM1.

4 The development shall not be commenced until trees T1 and T2 as identified in the Arboricultural Impact Assessment received 30/07/2018 have been protected by fencing to British Standard 5837:7 & 8 (or other fencing approved in writing by the Local Planning Authority prior to its use). The protective fencing shall be erected outside the crown spread (or, in the case of a fastigiated tree, erected to enclose an area with a radius of 6 m from the trunk) of all trees on site (including those outside the site but overhanging the site boundary). Notices shall be attached to the fencing, stating 'Protected Zone - No Access, Disturbance, Storage or Contamination within Protected Area'. The protective fencing shall be maintained in position and in good order during the whole period of works on site. Works, including the excavation, removal or deposit of earth or other materials shall not be carried out within any area enclosed by protective fencing without the written prior consent of the Local Planning Authority.

To ensure that the health of retained trees within the site is adequately protected during the period of construction in accordance with South Tyneside Local Development Framework Development Management Policy DM1(C).

5 The proposed solid privacy screen to the south facing elevation of the first floor rear balcony shall be carried out in full accordance with Drawing No. 1 Revision A (received on 22 August 2018) and it shall be completed prior to the first occupation of the development hereby approved. The approved details shall then be retained on site henceforth.

To safeguard the existing privacy levels of the adjacent occupiers of land at 38 Parkshiel in the interests of neighbouring residential amenity and in accordance with the South Tyneside Local Development Framework Development Management Policy DM1.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Case officer: Seán Gallagher
Date: 22/08/2018

Authorised Signatory:
Date:

«END»